

REGISTERED NO. D-28

The Gazette**of India**

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NEW DELHI, SUNDAY, JULY 31, 1949

**GOVERNMENT OF INDIA
MINISTRY OF STATES
NOTIFICATIONS**

New Delhi, the 81st July 1949

No. 177-(c)-J.—In exercise of the powers conferred by Section 4 of the Extra Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to make the following order, namely:—

1. (1) This order may be called the Kutch (Application of Laws) Order, 1949.
 (2) It extends to the whole of Kutch.
 (3) It shall come into force at once.
2. In this Order "Kutch" means the territories to which the Kutch Administration Order, 1948, for the time being extends.
3. The enactments specified in the First Schedule to this Order shall apply to Kutch with effect from the date of commencement of this order except where a different date is specified in the said schedule against a particular enactment, subject to—
 - (a) any amendments to which the enactments are for the time being subject in the territories to which they extend.
 - (b) the modifications and restrictions specified in that schedule, and
 - (c) the subsequent provisions of this Order.
4. Except as otherwise specially provided in the first schedule to this order, the enactments applied by this Order shall be construed as if references therein to the authorities and territories mentioned in the first column of the table hereunder printed were references to the authorities and territories, respectively, mentioned opposite thereto in the second column of said table.

TABLE

1. Provincial Government, Governor or Chief Controlling Revenue Authority.	The Chief Commissioner of Kutch.
2. Government.	The Central Government or the Chief Commissioner of Kutch, as the context may require.
3. High Court.	Court of the Judicial Commissioner, Kutch.
4. Provinces of India, any Province of India or any part thereof.	Kutch or any part thereof.
5. The Province or Presidency of Bombay or any part thereof.	Kutch or any part thereof.

5. Where any enactment applied by this Order confers a power on the Central Government or any other authority in Kutch to make rules, regulations, general orders or bye-laws, that power shall be deemed to include a power to apply to Kutch or any part thereof, whether with or without modifications, any rules, regulations, general orders or bye-laws, as the case may be, made under that enactment and for the time being in force in all or any of the Provinces of India.

6. Any Court may construe the provisions of any enactment, rule, regulation, general order or bye-law applied to Kutch or any part thereof by this Order, with such modifications not affecting the substance as may be necessary or proper in the circumstances.

7. The laws specified in the second schedule to this Order, which were continued in force by section 5 of the Kutch Administration Order, 1948, shall cease to have effect from the date of commencement of this Order except where a different date is specified in the said schedule against a particular enactment, to the extent specified therein, save as respects things done or omitted to be done before the said date.

ANNEXURE II

SCHEDULE I

GENERAL ACTS

Year	Enactment applied	Modifications & Restrictions
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1834	The Secretaries to Government Act II of 1834.	
1839	The Interest Act XXXII of 1839.	
1841	The Indian Registration of Ships Act X of 1841.	
1843	The Indian Slavery Act V of 1843.	
1850	The Judicial Officer's Protection Act XVIII of 1850.	
1850	The Apprentices Act XIX of 1850.	
1850	The Caste Disabilities Removal Act XXI of 1850.	
1850	The Indian Coasting Trade Act V of 1850.	
1855	The Legal Representatives' Suits Act XII of 1855.	
1855	The Mesne Profits & Improvements Act XI of 1855.	
1855	The Indian Fatal Accidents Act XIII of 1855.	
1855	The Usury Laws Repeal Act XXVIII of 1855.	
1856	The Hindu Widows Remarriage Act XV of 1856.	
1856	The Indian Bills of Lading Act IX of 1856.	
1860	The Societies Registration Act XXI of 1860.	

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1860	The Indian Penal Code XIV of 1860.	
1861	The Police Act V of 1861.	
1862	The Government Seal Act III of 1862.	
1863	The Waste Lands (Claims) Act XXIII of 1863.	
1865	The Carriers Act III of 1865.	
1866	The Native Converts' Marriage Dissolution Act XXI of 1866.	
1866	The Unclaimed Deposits Act XXV of 1866.	
1866	The Indian Trustees Act XXVII of 1866.	
1866	The Trustees and Mortgagees Power Act XXVIII of 1866.	
1867	The Acting Judges Act XVI of 1867.	
1867	The Sarais Act XXII of 1867.	
1867	The Press & Registration of Books Act XXV of 1867.	
1869	The Indian Divorce Act IV of 1869	
1870	The Court Fees Act VII of 1870. (As amended by Bombay Courts Fees Act II of 1932.)	All pending plaints, appeals, applications and petitions shall be considered as duly and sufficiently stamped if they comply with provisions of the Kutch Stamp and Court Fees Act.
1870	The Female Infanticide Prevention Act VIII of 1870.	
1871	The Cattle Trespass Act I of 1871.	
1871	The Pensions Act XXIII of 1871.	
1872	The Indian Evidence Act I of 1872.	
1872	The Indian Contract Act IX of 1872.	
1872	The Indian Christian Marriage Act XV of 1872.	
1873	The Government Savings Bank Act V of 1873.	
1873	The Indian Oaths Act X of 1873.	
1874	The Married Woman's property Act III of 1874.	
1875	The Indian Majority Act IX of 1875.	
1875	The Indian Law Reports Act XVIII of 1875.	
1876	The Dramatic Performances Act XIX of 1876.	
1877	The Specific Relief Act I of 1877.	
1878	The Opium Act I of 1878.	
1878	The Indian Treasure Trave Act VI of 1878.	

1879 The Legal Practitioners' Act XVIII of 1879. After Chapter VI the following Chapter should be added :—

Chapter VI A

Of clerks of Advocates and Pleaders.

Section 31 A. (1) The Financial Commissioner, Kutch may, from time to time, make rules consistent with this Act, as to the following matters, viz. :—

- (a) the employment of clerks by Advocates and Pleaders,
- (b) the manner in which and the terms subject to which such clerks may be registered as recognised clerks,
- (c) the fees (if any) to be paid for recognition.

(2) All rules made under this Section shall be submitted to the Chief Commissioner for approval, and,

After they have been approved, they shall be published in the official Gazette, and on publication shall have effect as if enacted under this Act.

1880 The Vaccination Act XIII of 1880.

1881 The Obstructions in Fairways Act XVI of 1881.

1881 The Negotiable Instruments Act XXVI of 1881.

1881 The Fugitive Offenders' Act, 1881.

1882 The Indian Trusts Act II of 1882.

1882 The Transfer of Property Act IV of 1882, as amended by Act XX of 1929 and Act V of 1930.

1882 The Indian Easements Act V of 1882.

1882 The Powers of Attorney Act VII of 1882.

1883 The Land Improvements Loans Act XIX of 1883.

1884 The Indian Explosives Act IV of 1884.

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1884 The Agriculturists Loans Act XII of 1884.

1885 The Indian Telegraph Act XIII of 1885.

1886 The Births, Deaths & Marriages Registration Act VI of 1886. Substitute the words "within six months from the date on which this Act comes into force" for the words "at any time before the first day of April 1891" in Section 32.

1887 The Suits Valuation Act VIII of 1887. Subject to the provisions of Kutch Courts Order, 1948 and of orders made thereunder.

1887 The Provincial Small Causes Court Act IX of 1887.

1888 The Police Act III of 1888.

1889 The Metal Tokens Act I of 1889.

1889 The Measures of Length Act II of 1889. From the date to be fixed by the Chief Commissioner, Kutch.

1889 The Indian Merchandise Marks Act IV of 1889.

1890 The Revenue Recovery Act I of 1890.

1890 The Charitable Endowments Act VI of 1890.

1890 The Guardians & Wards Act VIII of 1890.

1890 The Indian Railways Act IX of 1890.

1890 The Prevention of Cruelty to Animals Act XI of 1890.

1891 The Banker's Books Evidence Act XVIII of 1891.

1892 The Government management of Private Estates Act X of 1892.

1893 The Partition Act IV of 1893.

1894 The Land Acquisition Act I of 1884.

1894 The Criminal Tribes Act VI of 1894.

1894 The Prisons Act IX of 1894.

1895 The Crown Grants Act XV of 1895.

1895 The Indian Railway Companies Act X of 1895.

1896 The Inland Bonded Warehouses Act VIII of 1893.

1897 The Epidemic Diseases Act III of 1897.

1897 The Indian Fisheries Act IV of 1897.

1897 The Reformatory Schools Act VIII of 1897.

1897 The General Clauses Act X of 1897. For the interpretation of any enactment in Kutch the definitions contained in that Act, shall be applicable only after effect has been given to any modification, restriction or rule of construction prescribed in respect of enactments by this Order.

1898 The Lepers Act Act III of 1898.

1898 The Code of Criminal Procedure V of 1898 1. Omit Section 99 C and 99 D and omit the first word "Every" in section 99 F. .
2. Substitute "Central Government" for "Provincial Government in Section" 206.

3. For Section 378 substitute the following Section :—

“378. When any such case is heard before a bench of Judges, and such judges are equally divided in opinion, the opinion of the Senior Judge shall prevail.”

4. For Section 429 insert the following section :—

“429. When the Judges composing the court of appeal are equally divided in opinion, the opinion of the Senior Judge shall prevail.”

5. In sub-section (1) of Section 503 after the words “such attendance and” insert “if such witness resides in India, or any area to which this Code has been applied”.

6. In Sub-section (1) of Section 527 the words “another High Court” and in the proviso to that Sub-section, the words, “High Court”, “Province” and “Provincial Government” shall stand unmodified.

7. Substitute “Judicial Commissioner” for “Chief Justice” in clause (e) of Sub-section (1) of Section 4.

8. Insert “Kutch” after the word “Assam” in Section 30.

9. Insert “the court of Judicial Commissioner, Kutch,” after the word “Sind” in sub-section (1) of section 364 and in section 385.

For sub-section (2) of section 7 substitute the following sub-section (2) “Unless and until such notification as aforesaid is issued, the rates chargeable for the time being in the Dominion of India shall be the rates chargeable under this Act.

All documents presented and pending for registration shall be considered duly stamped, if they comply with the provisions of the Kutch Stamps and Court Fees Act. ¶

In sub-section (1) of Section 57, after clause (h) insert the following clause (ha) “if it arises in Kutch, to the Judicial Commissioner’s Court”

1898 The Indian Post Office Act VI of 1898.

1899 The Indian Stamp Act II of 1899.

1900 The Government Buildings Act IV of 1899.

1900 The Prisoners Act III of 1900.

1903 The Indian Extradition Act XV of 1903.

1904 The Ancient Monuments Preservation Act VII of 1904.

1905 The Indian Railway Board Act IV of 1905

1906 The Government Trading Taxation Act II of 1906.

1908 The Code of Civil Procedure Act V of 1908. Subject to the provisions of the Kutch Courts Order, 1948 and of rules and orders made thereunder.

1908 The Explosive Substances Act VI of 1908.

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1908	The Indian Limitation Act IX of 1908.	All suits and applications which would be barred as a result of coming into operation of the Indian Limitation Act shall be brought within a period of three years from the date of commencement of this Act in Kutch, provided that nothing herein stated shall be construed to extend the period of limitation allowed under the Kutch Limitation Act.	
1908	The Indian Ports Act XV of 1908.		
1909	The Indian Registration Act XVI of 1908.	From the date to be fixed by the Chief Commissioner, Kutch.	
1909	The Whipping Act IV of 1909.		
1910	The Indian Electricity Act IX of 1910.		
1911	The Indian Patents and Designs Act II of 1911.		
1911	The Prevention of Seditious Meetings Act X of 1911.		
1912	The Co-operative Societies Act II of 1912.		
1912	The Indian Lunacy Act IV of 1912.	(1) Omit Section 17. (2) The provisions of Chapter IV shall not be applicable, except for the purposes of Chapter V. (3) Omit the words "other than a proceeding before a High Court, which is or may hereafter be constituted by His Majesty by Letters Patent" in clause (a) of Section 91.	
1912	The Wild Birds & Animals Protection Act VIII of 1912.	In sub-section (2) add the following clause (k) "in relation to the Judicial Commissioner's Court".	
1913	The Official Trustees Act II of 1913.	Insert the following sub-clause (1a) after sub-clause (1) of clause (12) of section 2 : -- "in relation to the Court of the Judicial Commissioner."	
1913	The Administrator General's Act III of 1913.		
1914	The Destructive Insects and Pests Act II of 1914.		
1914	The Indian Copy Right Act III of 1914.		
1916	The Indian Medical Degrees Act VII of 1916.		
1916	The Hindu Disposition of Property Act XV of 1916.		
1917	The Inland Steam Vessels Act I of 1917.		
1917	The Post Office Cash Certificates Act XVIII of 1917.		
1917	The Transfer of Property (Validating) Act XXVI of 1917.		
1918	The Cinematograph Act II of 1918.		
1918	The Usurious Loans Act X of 1918.		
1919	The Pensions Act XII of 1919.		
1920	The Provincial Insolvency Act V of 1920.		
1920	The Charitable and Religious Trusts Act XIV of 1920.		

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1920	The Indian Rifles Act XXIII of 1920.	
1920	The Identification of Prisoners Act XXXIII of 1920.	
1920	The Indian Passport Act, XXXIV of 1920.	
1920	The Indian Election Offences and Inquiries Act XXXIX of 1920.	
1920	The Imperial Bank of India Act XLVII of 1920.	
1922	The Indian Emigration Act VII of 1922.	
1922	The Police (Incitement to Disaffection) Act XXII of 1922.	
1923	The Indian Boilers Act V of 1923.	
1923	The Indian Merchant Shipping Act XXI of 1923.	
1923	The Workmen's Compensation Act VIII of 1923.	
1923	The Indian Official Secrets Act XIX of 1923.	
1923	The Legal Practitioner (Women) Act XXIII of 1923.	
1924	The Immigration into India Act III of 1924.	
1924	The Land Customs Act XIX of 1924.	
1925	The Indian Soldiers (Litigation) Act IV of 1925.	
1925	The Cotton Ginning and Pressing Factories Act XII of 1925.	
1925	The Indian Carriage of Goods by Sea Act XXVI of 1925.	
1925	The Indian Succession Act XXXIX of 1925.	
1926	The Indian Naturalization Act VIII of 1926.	
1926	The Contempt of Courts Act XII of 1926.	
1926	The Legal Practitioner's (Fees) Act XXI of 1926.	
1927	The Indian Forest Act XVI of 1927.	
1927	The Indian Light-House Act XVII of 1927.	
1928	The Hindu Law Inheritance (Removal of Disabilities) Act XII of 1928.	
1929	The Hindu Law of Inheritance (Amendment) Act II of 1929.	
1929	The Child Marriage Restraint Act XIX of 1929.	
1930	The Dangerous Drugs Act II of 1930.	
1930	The Indian Sale of Goods Act XXX of 1930.	
1930	The Hindu Grains of Learning Act XXX of 1930.	
1931	The Indian Press Emergencies Powers Act XXIII of 1931.	
1932	The Indian Partnership Act IX of 1932.	
1932	The Public Rules Validation Act XI of 1932.	
1932	The Foreign Relations Act XII of 1932.	
1933	The Children (Pledging of Labour) Act II of 1933.	

1933 The Wireless Telegraphy Act XVII of 1933.

1934 The Khaddar (Name Protection) Act VIII of 1934.

1934 The Carriage of Goods by Air Act XX of 1934.

1934 The Indian Air Craft Act XXII of 1934.

1934 The Petroleum Act XXX of 1934.

1936 The Pari Marriage and Divorce Act III of 1936.

1936 The Decrees and orders validating Act V of 1936.

1937 The Arbitration (Protocol and Convention) Act VI of 1937.

1937 The Hindu Women's right to Property Act XVIII of 1937.

1937 The Arya Marriage Validation Act XIX of 1937.

1937 The Federal Courts Act XXV of 1937.

1937 The Commercial Documents Evidence Act XXX of 1937.

1938 The Indian Insurance Act IV of 1938.

1938 The Employer's Liability Act XXIV of 1938.

1938 The Employment of Children Act XXVI (i) Omit Sub-section (3) of Section 138. of 1938.

1939 The Motor Vehicles Act IV of 1939 (ii) For Sub-section (3) of Section 134 substitute the following sub-section :—
(3), notwithstanding the repeal of the Kutch Motor Vehicles Act, 1939, or of any other enactment in force, rules made by the Government of Kutch under Kutch Motor Vehicles Act or under any other enactment hitherto in force, other than rules prescribing the fees payable in respect of the grant of renewal of licences to drive motor vehicles, shall, whether or not they are consistent with this Act, continue to be in force for a period of nine months from the commencement of this Act, unless before the expiry of that period they are cancelled by the Chief Commissioner, Kutch.

1939 The Standard of Weights Act IX of 1939 . Date of application to be fixed by the Chief Commissioner, Kutch.

1939 The Registration of Foreigners Act XVI of 1939.

1940 The Offences of Ships & Aircrafts Act IV of 1940.

1940 The Trade Mark Act V of 1940.

1940 The Arbitration Act X of 1940.

1940 The Drugs Act XXIII of 1940.

1940 The Agricultural Produce Cess Act XXVII of 1940.

1941 The Insurance Deposits Temporary Reduction Act I of 1941.

1941 The Federal Court Act XXI of 1941.

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1941 The Railways Local Authority Taxation Act XXV of 1941.

1942 The Indian (Federal Court Judges) Act, 1942.

1942 The Multi-unit Co-operative Societies Act VI of 1942.

1942 The Industrial Statistics Act XLIX of 1942.

1942 The Federal Court Supplementary Powers Act XXVI of 1942.

1943 The Reciprocity Act IX of 1943.

1944 The Public Debt Act XVII of 1944.

1946 The Railways Companies Substitution of Parties in Civil Proceedings Act XIV of 1946.

1946 The Hindu Married Women's rights to separate Residence and Maintenance Act XIX of 1946.

1946 The Industrial Employment Act XX of 1946.

1946 The Merchant sea-men litigation Act XXI of 1946.

1946 The Indian Oil seeds Committee Act IX of 1946.

1946 The Hindu Marriage Disabilities Removal Act XXVIII of 1946.

1946 The Delhi Special Police Establishment Act XXV of 1946.

1947 The Prevention of Corruption Act II of 1947.

1947 The Foreign Exchange Regulation Act VII of 1947.

1947 The Railways (Transport of goods) Act XII of 1947.

1947 The Industrial Disputes Act XIV of 1947.

1947 The Control of Shipping Act XXVI of 1947.

1947 The Imports & Exports Control Act XXVII of 1947.

1947 The Antiquities Export Control Act XXXI of 1947.

1947 The Press Special Powers Act XXXIX of 1947.

1947 The Indian Merchant Shipping Act XLI of 1947.

1948 The Pharmacy Act VIII of 1948.

1948 The Displaced Persons (Institution of Suits) Act, XLVII of 1948.

1948 The Minimum Wages Act XI of 1948.

1948 The Rehabilitation Finance Administration Act XIV of 1948.

1948 The Capital Issues Control Act XIX of 1948.

1948 The Indian Electricity Act LIX of 1948.

1948 The Factories Act LXIII of 1948.

1948 The Federal Court Enlargement of Jurisdiction Act, 1948.

1949 The Displaced Persons (Legal Proceedings) Act XV of 1949.

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SCHEDULE I. BOMBAY ACTS.

1838 The Bombay Coasting Vessels Act XIX of 1838.
 1865 The Bombay Wagers Act III of 1865.
 1866 The Bombay Hindu Heirs Relief Act VII of 1866.
 1867 The Bombay Village Police Act VII of 1867. Except Sections 14 to 18.
 1874 The Bombay Jails Act II of 1874.
 1875 The Bombay Tolls on Roads & Bridges Act III of 1875.
 1876 The Bombay Revenue Jurisdiction Act X of 1876.
 1878 The Bombay Abkari Act V of 1878.
 1883 The Bombay Public Authorities Seals Act V of 1883.
 1887 The Prevention of Gambling Act IV of 1887.
 1890 The Bombay District Police Act IV of 1890.
 1892 The Bombay District Vaccination Act I of 1892.
 1904 The Bombay General Clauses Act I of 1904.
 1912 The Bombay Medical Act VI of 1912.
 1920 The Bombay Public Conveyance VI of 1920.
 1926 The Bombay Prevention of Adulteration Act V of 1926.
 1925 The Bombay Co-operative Societies Act VII of 1925.
 1928 The Bombay Probation of Offenders Act XIX of 1928.
 1932 The Bombay Court Fees Act II of 1932.
 1939 The Bombay Medical Practitioners' Act XXVI of 1939.
 1946 The Bombay Prevention of Hindu Bigamous Marriages Act XXV of 1946.
 1947 The Bombay Public Security Measures Act VI of 1947.
 1947 The Bombay Hindu Divorce Act XXII of 1947.
 1947 The Bombay Agricultural Debtors' Relief Act XXVIII of 1947.
 1947 The Bombay Money Lenders' Act XXXI of 1947.
 1947 The Bombay Disposition of Property Validation Act LIV of 1947.

ANNEXURE III

SCHEDULE II

REPEAL OF OLD KUTCH ENACTMENTS

Year	Name of Enactments	Extent & Savings	Date of Repeal
1	2	3	4
1875	The Small Causes Courts Act, Smt. 1931 (A.D. 1875).	Entire	Date of commencement of the order.
1883	The Kutch Registration Act, Smt. 1939 (A.D. 1883). (as amended from time to time).	Do.	Date to be fixed by the Chief Commissioner.

1	2	3	4
1883	Kutch Salt Transport Regulation (A.D. 1883).	Entire . .	Date of Commencement of the order.
1883	The Kutch Stamps & Court Fees Act, Smt. 1939. (A.D. 1883). (as amended from time to time).	Do. . .	Date to be fixed by the Chief Commissioner, Kutch.
1885	The Kutch Forest Regulations, (A.D. 1885) (as amended from time to time).	Do. . .	Date of Commencement of the order,
1888	The Transport of Salt Regulations (A.D. 1888).	Do. . .	Do
1888	The Kutch Bunder and Shipping Act & Regulations S.Y. 1944 (A.D. 1888).	Do. . .	Do.
1894	The Kutch Civil Procedure Code, S.Y. 1950. (A.D. 1894).	Do. . .	Do.
1895	The Extradition Regulation, S.Y. 1951 (A.D. 1895).	Do. . .	Do
1901	The Regulation for Shipping & Passengers S.Y. 1967 (A.D. 1901).	Do. . .	Do
1909	The Explosive Substance Act, S.Y. 1966 (A.D. 1909).	Do. . .	Do.
1932	The Opium Act, S.Y. 1988 (A.D. 1932) .	Do. . .	Do.
1939	The Kutch Motor Vehicles Act, S.Y. 1995 (A.D. 1939).	Do. . .	Do.
1942	The Vaccination Act, S.Y. 1999 (A.D. 1942).	Do. . .	Do.
1943	The Kutch Companies Act, S.Y. 2000 (A.D. 1943).	Do. . .	Do.
1943	The Regulation for grant of Licences for Wireless Receivers, S.Y. 1999 (A.D. 1943).	Do. . .	Do.
1944	The Kutch Workmen's Compensation Act, S.Y. 2001 (A.D. 1944).	Do. . .	Do.
1944	The Kutch Registration of Births and Deaths Act, S.Y. 2000 (A.D. 1944).	Do. . .	Do.
1944	The Kutch Weights & Measures Act, S.Y. 2000 (A.D. 1944).	Do. . .	Date to be fixed by the Chief Commissioner, Kutch.
1945	The Kutch Registration of Fire-Arms Act, S.Y. 2001 (A.D. 1945).	Do. . .	Date of commencement of the order.
1945	The Kutch Electricity Act, S.Y. 2002 (A.D. 1945).	Do. . .	Do.
1946	The Industrial Statistics Act, 1946 A.D. .	Do. . .	Do.
1946	The Land Acquisition Act, 1946 A.D. .	Do. . .	Do.
1946	The Kutch Police Act, S.Y. 2003 (A.D. 1946).	Do. . .	Do.
1947	The Import and Export Control Act, 1947 A. D.	Do. . .	Do.
1947	The Foreign Exchange Control Act, 1947 A. D.	Do. . .	Do
1947	The Kutch Arms Act, 1947 A. D. .	Do. . .	Do.
1948	The Kutch Press and Registration of Books Act S.Y. 2004 (A. D. 1948).	Do. . .	Do
1948	The Providing for Suits against State in certain matters, (A.D. 1948.)	Do. . .	Do.
1948	The Kutch Limitation Act, (A.D. 1948) .	Same as provided in the amendment to the Indian Limitation Act in Schedule I.	Do

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1948	The Kutch Penal Code Repealing Act of S. Y. 1925 (1869 A.D.), S.Y. 2004 (A.D. 1948).		Sections 298A, Date of commencement. 298B, 298C and 298D shall continue to remain in force	
1948	The Kutch Land Customs Act, 1948 A.D.	Entire	.	Do
1948	The Agriculture Produce Control Act, 1948 A.D.	Do.	.	Do.
1948	The International Monetary Fund and Bank Ordinance applied to Kutch, A.D. 1948.	Do.	.	Do.
1948	The Kutch Criminal Procedure Code S. Y. 2004, repealing the Act of S.Y. 1925.	Do.	.	Do.
1948	The Kutch Railways Act and Rules on the line of Indian Railways Act as amended from time to time, 1948 A.D.	Do.	.	Do.
1948	The Kutch Regulation for Prevention of Gambling and Wagering Act, 1948 A.D.	Do.	.	Do.

No. 178(D)-J.—In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to direct that the following amendments shall be made in the Himachal Pradesh (Legal Proceedings and Executive Authority) Order, 1949, published with the Notification of the Government of India in the Ministry of States No. 9-IB, dated the 12th January 1949, namely:—

In the said Himachal Pradesh (Legal Proceedings and Executive Authority) Order, 1949,—

- (i) in the preamble, for the words "located in Simla" the words "located in Simla or may hereafter be located in Simla" shall be substituted and shall be deemed always to have been substituted;
- (ii) in paragraph 2, for the words "located in Simla" the words "located in Simla or which may hereafter be located in Simla" shall be substituted and shall be deemed always to have been substituted.

No. 177-(e)-J.—In exercise of the powers conferred by section 4 of the Extra Provincial Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Rampur (Application of Laws) Order, 1949.
- (2) It extends to the whole of Rampur.
- (3) It shall come into force at once.
2. In this Order, "Rampur" means the territories to which the Rampur (Administration) Order, 1949, for the time being extends.
3. The enactments specified in the First Schedule to this Order shall apply to Rampur subject to—
 - (a) any amendment to which the enactments are for the time being generally subject in the territories to which they extend,
 - (b) the modifications and restrictions specified in the Schedule to this Order, and
 - (c) the subsequent provisions of this Order.

4. The enactments specified in the Second Schedule to this Order, which were continued in force by section 5 of the Rampur (Administration) Order, 1949, shall cease to have effect from the date of commencement of this Order save as respects things done or omitted to be done before the said date.

5. Except as otherwise specially provided in the Schedule to this Order, the enactments applied by this order shall be construed as if references therein to the authorities or territories mentioned in the first column of the table given below were references to the authorities and territories, respectively, mentioned opposite thereto in the second column of the said table.

TABLE

1. Provincial Government, Governor or Government	Chief Controlling Revenue authority.	The Chief Commissioner of Rampur.
2. Government		The Central Government or the Chief Commissioner of Rampur as the context may require.
3. High Court		The High Court of Rampur.
4. Provinces of India and Province of India or any part thereof.	Rampur or any part thereof.	

6. (1) All rules, notifications, orders, bye-laws and regulations made or issued under any of the Acts applied by this Order, whether before or after the date of this Order, in exercise of the powers conferred by or under any such Act, shall, except in so far as may be expressly directed otherwise, apply to Rampur in the same manner as they apply to Provinces of India subject to such modifications, not affecting the substance, as may be necessary.

(2) Where any enactment applied by this Order confers a power on the Central Government or any other authority in Rampur to make rules, regulations, general orders or bye-laws, that power shall be deemed to include a power to apply to Rampur or any part thereof, whether with or without modifications, any rule regulations, general orders or bye-laws, as the case may be, made under that enactment and for the time being in force in all or any of the Provinces of India.

7. Any Court may construe the provisions of any enactment, rules, regulations, general order or bye-laws, with such modifications not affecting the substance as may be necessary or proper in the circumstances.

8. Unless otherwise specially provided in the Schedules to this Order, all such laws in force in Rampur which correspond to the enactments enumerated in the Schedules and which are continued in force by section 5 of the Rampur (Administration) Order, 1949, shall cease to have effect save as respects things done or omitted to be done before the commencement of this Order.

THE FIRST SCHEDULE CENTRAL ACTS

Year	Enactments applied	Modifications and Restrictions
1860	The Indian Penal Code XLV of 1860.	(1) Omit the words from "and shall take effect" to the end of section 1.
1861	The Police Act V of 1861	(1) Unless otherwise specially provided for in the Act, substitute "Central Government" for "Provincial Government" wherever these words occur in the Act.

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		(2) In subsection (1) of section 15, the words "Provincial Government" shall stand unmodified.
		(3) In sub-section (2) of section 15A and sub-sections (3) and (4), the words "Provincial Government" shall stand unmodified.
1867	The Press and Registration of Books Act XXV of 1867.
1872	The Indian Evidence Act I of 1872	(1) Omit the words "It extends..... and" in section 1. (2) Omit the third para. of section 1.
1878	The Opium Act I of 1878	. Omit the words beginning with "It shall extend" to the end of section 1.
1878	The Arms Act XI of 1878	. (1) Omit the words "and it extends to the whole of British India" in section 1. (2) Omit section 2.
1884	The Indian Explosives Act IV of 1884.	(1) Omit sub-section (2) of section 1. (2) Omit section 2.
1894	The Prisons Act IX of 1894	. Omit sub-sections (2) and (3) of section 1.
1897	The General Clauses Act X of 1897	For the interpretation of any enactment in Rampur the definition contained in that Act shall be applicable only after effect has been given to any modification, restriction or rule of construction prescribed in respect of enactments by this Order.
1898	The Code of Criminal Procedure of 1898.	V (1) Omit the words "and it shall come into force on the first day of July, 1898" in sub-section (1) of section 1. (2) Omit the words "It extends to the whole of British India, but" in sub-section (2) of section 1. (3) In clause (J), section 4, the words "High Court" shall stand unmodified. (4) Omit sections 99C and 99D and omit the first word "Every" in 99F. (5) Substitute "Central Government" for "Provincial Government" in section 266. (6) For section 378 substitute the following section :— "378. When any such case is heard before a Bench of Judges and such Judges are equally divided in opinion, the opinion of the Senior Judge shall prevail." (7) For section 429 substitute the following section :— "429. When the judges composing the Court of Appeal are equally divided in opinion, the opinion of the Senior Judge shall prevail."

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		(8) In sub-section (1) of section 503 after the words "such attendance and" insert "if such witness resides in India or any area to which this Code has been applied".
		(9) In sub-section (1) of section 527, the words "another High Court" and in the proviso to that sub-section the words "High Court", "Province" and "Provincial Government" shall stand unmodified.
		(10) Insert "Rampur" after the word "Assam" in section 30.
		(11) Insert "the Rampur High Court" after the word "Sind" in sub-section (1) of section 364 and in section 365.
1900	The Prisoners Act III of 1900	(1) Omit sub-section (2) of section 1. (2) In clause b(ii) sub-section (i) of section 15, the words "Province" and "Provincial Government" shall stand unmodified. (3) In section 49 the words "High Court" shall stand unmodified.
1908	The Explosive Substances Act VI of 1908.	Omit the words "It extends to the whole of British India" in subsection (2) of section 1.
1930	The Dangerous Drugs Act II of 1930.	Omit sub-section (2) of section 1.
1931	The Indian Press (Emergency powers) Act XXIII of 1931.	Omit sub-section (2) of section 1.
1933	The Indian Wireless Telegraphy Act XVII of 1933.	Omit sub-section (2) of section 1.
1946	The Essential Supplies (Temporary Powers) Act XXIV of 1946.	(1) Omit sub-section (2) of section 1. (2) Omit sub-section (3) of section 1. (3) Omit clause (f) of section 2.
	The Delhi Special Police Establishment Act, 1946 XXV of 1946.	Omit sub-section (2) of section 1 and section 7.
1947	The Prevention of Corruption Act II of 1947.	Substitute "Rampur" for the words "British India" in sub-section (2) of section 1.

UNITED PROVINCES ACTS

1914	The Town Areas Act II of 1914.	
1916	The Municipality Act II of 1916.	The bye-laws made by the Rampur Municipal Board shall remain valid until these are superseded subsequently.
1919	The Town Improvement Act VIII of 1919.	
1934	The Opium Smoking Act III of 1934.	
1938	The First Offenders' Probation Act VI of 1938.	
1938	The Prisoners Release on Probation Act VIII of 1938.	

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- 1947 The Maintenance of Public Order (Temporary Act) IV of 1947 as amended by the U. P. Maintenance of Public Order (Amendment and Proceedings Validation) Ordinance, 1949.
- 1947 The Temporary Control of Rent and Eviction Act III of 1947.
- 1940 The Prevention of Crime (Special Powers) Temporary Act of 1949

The U. P. Police Regulations.

THE SECOND SCHEDULE

- The Rampur Penal Code of 1930.
- The Rampur Police Act of 1930.
- The Rampur Police Regulations of 1930.
- The Rampur Criminal Procedure Code of 1931.
- The Rampur Evidence Act of 1931.
- The Rampur Jail Act of 1932.
- The Rampur Extradition Act of 1932.
- The Rampur Municipal Act of 1934.
- The Rampur Press and Registration of Books Act of 1934.
- The Rampur Sugar Excise Act of 1934.
- The Rampur Town Areas Act of 1934.
- The Rampur Opium Act of 1935.
- The Rampur Opium Smoking Act of 1937.
- The Rampur Dangerous Drugs Act.
- The Rampur Excise Act of 1938.
- The Rampur Wireless and Telegraphy Act of 1938.
- The Rampur Town Improvement Law of 1946.
- The Rampur Famine Ordinance of 1945 with rules thereunder.
- The Rampur Arms Act of 1947.
- The Rampur Explosives Act of 1947.
- The Rampur Explosive Substances Act of 1947.

No. 177 (F)-J.—In exercise of the powers conferred by section 4 of the Extra Provincial Jurisdiction Act 1947 (XLVII of 1947) and of all other powers enabling it in that behalf, the Central Government is pleased to direct that the following amendments shall be made in the Bilaspur (Application of Laws) Order, 1949, published with the notification of the Government of India in the Ministry of States No. 159-J, dated the 29th June 1949, namely:—

In the Schedule to the said Notification—

1. Under the heading "Central Acts"—

(i) After the entry relating to "The Indian Arms Act, XI of 1878" the following entry shall be inserted, namely:—

"The Northern India Ferries Act, XVII of 1878 Omit paragraphs 2 and 3 of Section I".

(ii) After the entry relating to "The Agriculturists Loans Act, XII of 1884", the following entry shall be inserted, namely:—

"1885 The Indian Telegraph Act, XIII of 1885 Omit sub-sections (2) and (3) of Section I".

(iii) After the entry relating to "The Indian Railways Act, IX of 1890", the following entry shall be inserted, namely:—

"The Prevention of Cruelty to Animals Act, XI of 1890 Omit sub-section (2) of Section I".

(iv) After the entry relating to "The Explosive Substances Act, VI of 1908" the following entry shall be inserted, namely:—

"The Indian Limitation Act, IX of 1908 Omit sub-sections (2) and (3) of Section I".

(v) After the entry relating to "The Children (Pledging of Labour) Act, II of 1933", the following entry shall be inserted, namely:—

"The Indian Wireless Telegraphy Act, XVII of 1933 Omit sub-sections (2) and (3) of Section I".

2. Under the heading "Punjab Acts"—

(i) After the entry relating to "The Punjab Court of Wards Act, II of 1908" the following entries shall be inserted, namely:—

1905 The Punjab Minor Canals Act, III of 1905 Omit sub-section (2) of Section I.

1913 The Punjab Pre-emption Act, I of 1913 Omit sub-section (2) of Section I.

The Redemption of Mortgages (Punjab) Act, II of 1913. Omit sub-section (2) of Section I.

The Punjab Forest (Sale of Timber) Act, III of 1913. Omit second paragraph of Section I.

1914 The Punjab Excise Act, I of 1914 Omit sub-sections (2) and (3) of Section I.

1916 The Punjab Medical Registration, Act, II of 1916 Omit sub-section (2) of Section I.

1918 The Punjab Village and Small Towns Patrol Act, VIII of 1918 Omit sub-section (2) of Section I.

1919 The Punjab Primary Education Act, VII of 1919 Omit sub-section (2) of Section I.

1920 The Punjab Limitation (Custom) Act, I of 1920 Omit sub-section (2) of Section I.

The Punjab Customs (Power to Contest) Act, II of 1920 Omit sub-section (2) of Section I.

1922 The Punjab Small Towns Act, 1921, II of 1922 (1) Omit sub-section (2) of Section I.

(2) Substitute the words "Dominion of India" for the words "Crown" and "His Majesty the King Emperor of India his heirs and successors".

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(ii) After the entry relating to "The Punjab Motor Vehicles Taxation Act, IV of 1924", the following entries shall be inserted, namely:—

1925 The Sikh Gurdwara Act, VIII of 1925	Omit sub-sections (2) and (3) of Section 1.
1929 The Punjab Pure Food Act, VIII of 1929	Omit sub-sections (2) and (3) of Section 1.
1930 The Punjab Regulation of Accounts Act, I of 1930 *	Omit sub-sections (2) and (3) of Section 1.

(iii) After the entry relating to "The Punjab Wild Birds and Wild Animals Protection Act, II of 1933", the following entry shall be inserted, namely:—

1934 The Tobacco Vend Fees Act, V of 1934	Omit sub-sections (2) and (3) of Section 1.
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(iv) After the entry relating to "The East Punjab Opium Smoking Act, XXV of 1948", the following entries shall be inserted, namely:—

1948 The East Punjab Geer I Sales Tax Act.	(i) Omit sub-section (2) of Section 1.
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(ii) For sub-section (3) substitute the following:

"It shall come into force on the date notified in this behalf by the Chief Commissioner, Bilaspur in the Official Gazette of India".

1949 The East Punjab Public Safety Act.	(i) Omit sub-section (2) of Section 1.
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(ii) For the words "The official Gazette" read "as the Chief Commissioner may order"

(v) After the entries under the heading "Punjab Acts", a new heading "Local Acts" shall be inserted and the following entries shall be inserted thereunder, namely:—

1945 The Bilaspur State Prohibition Act.	(i) Substitute the words "Chief Commissioner" for "Darbar".
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(ii) Read "Public Servant" for the words "Servant of the State".

(iii) Read "Judicial Commissioner" for the words "High Court".

(iv) Read "as the Chief Commissioner may order" for the words "in the State Gazette".

The Bilaspur State Transport Ani- mals Registration Act.	(i) Omit the word "Rajya" from the name of the Act.
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(ii) Read "Bilaspur" for the word "Raj".

1948 The Bilaspur State Transport Au- thority Act.	(i) Read "Bilaspur" for "Rajya" and "Riyasat".
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(ii) Read "Chief Commissioner" for "S. Khan" and "Rajya ki Sarkar".

The Bilaspur State Commercial Corporation Act	(i) Read "Bilaspur" for "Raj" and "Riyasat".
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(ii) Read "Chief Commissioner" for "Raj ki Sarkar".

(iii) Read "Chief Commissioner" for "Sarkar".

(iv) Read "as the Chief Commissioner may order" for "Rajya Patrika man".

No. 177 (G)-J.—In exercise of the powers conferred by Section 4 of the Extra Provincial Jurisdiction Act, 1947 (XLVII of 1947), and all other powers enabling it in that behalf the Central Government is pleased to make the following Order, namely:—

1. (i) This Order may be called the Bilaspur (Repealing) Order, 1949,
 (ii) It extends to the whole of Bilaspur,
 (iii) It shall come into force at once.
- (2) The enactments specified in the schedule to this Order are hereby repealed.

3. Savings.—The repeal by this Order of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to,

and this Order shall not affect the validity, invalidity effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing, nor shall this Order affect any principle or rule of law, or established jurisdiction, from or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed; nor shall the repeal by this Order of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

SCHEDULE

	Year of Act	Name of Act
1	1938	The Bilaspur State Naturalization Act.
2	1939	The Bilaspur State Public Health and Education Improvement Act.
3	1944	The Bilaspur State Gazette Act.
4	1944	The Bilaspur State Education and Health Act.
5	1945	The Bilaspur State Silk and Mulberry Trees Protection Act.
6	1945	The Bilaspur State Prohibition of Food Stuffs Exports Act.
7	1946	The Bilaspur State Female Infanticide Prevention Act.

A. N. BHANOT-NISAR, Under Secy.

No. 177 (H)-J.—In exercise of the powers conferred by Section 4 of the Extra Provincial Jurisdiction Act, 1947 (XLVII of 1947) and of all other powers enabling it in this behalf, the Central Government is pleased to direct that the following further amendments shall be made in the Himachal Pradesh (Application of Laws) Order, 1948, namely:—

In the Schedule to the said Order—

Under the heading "Central Acts",—

(a) Before the entry relating to "1930 Indian Sale of Goods Act, III of 1930", the following entry shall be inserted, namely:—

"1930 The Dangerous Drugs Act (II of 1930) omitted sub-section (2) of Section 1, 1930".

(ii) For sub-section (3) of Section 1, the following shall be substituted, namely:—

"It shall come into force on September 1, 1949".

(iii) sub-section (3) shall be renumbered sub-section (2).

(b) In the column relating to modifications and restrictions against the entry "1940 Essential Supplies (Temporary Powers) Act, XXIV of 1946", after modification (3) the following modification shall be inserted, namely:—

"(4) For the words, brackets and figures "The Essential Supplies (Temporary Powers) Ordinance 1946" in sub-section 1 of section 17 of the Act, the words and brackets "The Essential Supplies (Temporary Powers) Ordinances in force at the time of the application of the Act in any area now included in the Himachal Pradesh" shall be substituted".

(c) After the entry relating to "1947 Press (Special Powers) Act XXXIX of 1947", the following entries shall be inserted, namely:—

"1947 The United Nations (Security Council) Act (XLIII of 1947)."

"1947 The United Nations (Privileges and Immunities) Act (XLVI of 1947)."

(d) Before the entry relating to "1948 the Indian Census Act (XXXVII of 1948)" the following entry shall be inserted namely:—

"1948 The Dentists Act (XVI of 1948)."

(e) After the entry relating to "1948 The Factories Act (LXIII of 1948)" the following entry shall be inserted, namely:—

"1949 The Displaced Persons (Legal Proceedings) Act (XXII of 1949)".

Under the heading "Punjab Acts":—

(f) After the entry relating to "1911 The Punjab Municipal Act (III of 1911)", the following entry shall be inserted, namely:—

"1913 The Punjab Pre-emption Act (I of 1913)."

After the entries under the heading "Punjab Acts", a new heading "Local Acts" shall be inserted and the following entry shall be inserted thereunder, namely:—

"The Himachal Pradesh Land Development Act. In sub-section (C) of Section 3 in Chapter 2 for "2 non-official members" read "3 non-official members".

No. 177 (1)-J.—In exercise of the powers conferred by Section 4 of the Extra Provincial Jurisdiction Act, 1947 (XLVII of 1947) and of all other powers enabling it in this behalf, the Central Government is pleased to direct that the following amendment shall be made in the Himachal Pradesh (Repealing) Order, 1949, namely:—

In the Schedule to the said Order to the entries relating to Mandi, the following entry shall be added, namely:—

*15 Mandi The Mandi Land Revenue Regulation No. VIII of 1975 (Sambat),
 With the exception of clauses 'h' and 'i' of
 section 2 and sections 20, 21, 22, 23, and 26".

C. GANESAN, Dy. Secy.

